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25 Attorneys for Plaintiff
26 DANIEL MAES

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28 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

29 DANIEL MAES, an individual, on behalf of
30 himself, and on behalf of all persons similarly
31 situated,

32 Plaintiff,

33 vs.

34 JPMORGAN CHASE BANK, a New York
35 Corporation; and, CHASE HOME FINANCE
36 LLC, a Delaware Limited Liability Company;
37 and DOES 1 through 50, inclusive;

38 Defendants.

39 Case No. 12-CV-0782 JAH MDD

40 **JOINT MOTION FOR (1) LEAVE FOR
41 PLAINTIFF TO FILE A FIRST
42 AMENDED COMPLAINT AND
43 (2) AMENDMENT OF DEFENDANT'S
44 ANSWER**

45 Assigned to: Hon. John A. Houston
46 Mag. Judge: Hon. Mitchell D. Dembin

47 Complaint Filed: February 3, 2012
48 Trial Date: Not Set

1 WHEREAS, Plaintiff Daniel Maes ("Plaintiff") filed a Complaint on February 3, 2012 in
2 the Superior Court of California, County of San Diego;

3 WHEREAS, on March 29, 2012, Defendant JPMorgan Chase Bank, N.A. ("Defendant")
4 filed its Answer to Plaintiff's Complaint;

5 WHEREAS, on March 30, 2012, Defendant removed this case to the United States
6 District Court, Southern District of California.

7 WHEREAS, Plaintiff sent notice of alleged Labor Code violations pursuant to the Private
8 Attorneys General Act of 2004, Labor Code Section 2699 ("PAGA"), to the Labor and
9 Workforce Development Agency (the "LWDA") on February 29, 2012;

10 WHEREAS, on April 4, 2012, the LWDA notified Plaintiff that it does not intend to
11 investigate the alleged Labor Code violations;

12 WHEREAS, the parties have agreed that (1) Plaintiff may file the proposed First
13 Amended Complaint, attached hereto as Exhibit #1, which adds an additional claim for relief
14 under PAGA; and (2) Defendant's previously-filed Answer to Plaintiff's original Complaint, as
15 amended to include Defendant's defenses to Plaintiff's newly-proposed PAGA claim which are
16 attached hereto as Exhibit #2, shall be deemed responsive to Plaintiff's First Amended Complaint.

17 NOW, THEREFORE, Plaintiff and Defendant, through their respective counsel of record,
18 stipulate to: (1) Plaintiff filing the First Amended Complaint, attached hereto as Exhibit #1, as
19 the operative Complaint; and (2) Defendant's previously-filed Answer to Plaintiff's original
20 Complaint, as amended to include Defendant's defenses to Plaintiff's newly-proposed PAGA
21 claim which are attached hereto as Exhibit #2, being deemed responsive to Plaintiff's First
22 Amended Complaint.

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1 Dated: April 26, 2012

MORGAN, LEWIS & BOCKIUS LLP

2 By Carrie A.

3 CARRIE A. GONELL
4 Email: cgonell@morganlewis.com
5 Attorneys for Defendant
6 JPMORGAN CHASE BANK, N.A.

7 Dated: April 30 2012

8 BLUMENTHAL, NORDREHAUG & BHOWMIK

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13 DANIEL MAES

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